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9 UNITED STATES BANKRUPTCY COURT

10 NORTHERN DISTRICT OF CALIFORNIA

11 SAN FRANCISCO DIVISION

12 In re:

Bankruptcy Case No. 19-30088
(DM)

13 PG&E CORPORATION

14 -and-

Chapter 11
(Lead Case)
(Jointly Administered)

15 PACIFIC GAS AND ELECTRIC
16 COMPANY,

Debtors.

**PROPOSED ORDER PURSUANT TO
MOTION TO DETERMINE IF
BANKRUPTCY COURT APPROVED THE
AMENDMENT TO THE CRP KNOWN AS
BIL ELIGIBILITY CRITERIA FOR
CLAIMS ARISING UNDER INVERSE
CONDEMNATION**

17 ☐ Affects PG&E Corporation

18 ☐ Affects Pacific Gas and Electric
19 Company

20 ☒ Affects both Debtors

21 *All papers shall be filed in the Lead
22 Case, No. 19-30088 (DM)

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Upon the motion dated Sayegh Brothers, Inc. a commercial landlord and holder of a Fire Victim claim, made pursuant to U.S.C. § 105(a) and § 1142(a), and in furtherance of paragraph 18(L) of the confirmation order for an order directing the Fire Victims Trust to value claims of commercial landlords for destruction of leasehold interests in accordance with statutory procedures of California law of Eminent Domain as more fully set forth in the motion, and this court having jurisdiction to consider the motion and relief requested therein pursuant to 28 U.S.C. §§ 157 AND 1334, THE Order Referring Bankruptcy Cases and Proceedings to Bankruptcy Judges, General Order 24 (N.D. Cal.) , and Rule 5011-1(a) of the Bankruptcy Local Rules for the United States District Court for the Northern District of California; and consideration of the Motion and the requested relief being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and the court having found and determined that notice of the Motion as provided to the parties listed therein is reasonable and sufficient under the circumstances, and it appearing that no other or further notice need to be provided; and the Court having reviewed the Motion, Bush Declaration, and related pleadings filed with the Court; and the Court having held a hearing; and the Court having determined that the legal and factual bases set forth in the Motion and related pleadings establish just cause for the relief granted herein; and it appearing that the relief requested in the Motion is necessary and appropriate,

1 **IT IS HEREBY ORDERED THAT:**

2 1. The motion is granted as set forth herein.

3 2. The BIL Eligibility Criteria added to the CRP post
4 confirmation, can only be used for claims based on negligence
5 and cannot be used on claims arising under inverse
6 condemnation.

7 3. The Fire Victims Trust shall review all claims of
8 commercial landlords to determine if leasehold interests were
9 valued using the BIL Eligibility Criteria.

10 4. The leasehold interest of commercial landlords that
11 were valued pursuant to the BIL Eligibility Criteria shall be
12 reevaluated in accordance with California Law of Eminent Domain
13 and California Evidence Code §§ 817-819 and new determination
14 will be issued based thereon.

15 5. The Fire Victims Trust will provide the court with a
16 report that will enumerate the claims of commercial landlords
17 that were determined before May 25, 2021 and those that were
18 determined after May 25, 2021.

19 6. The Fire Victims Trust shall certify the number of
20 commercial landlord claims that had to be reevaluated.

21 7. Notice of this motion satisfies the requirements of
22 Bankruptcy Rule § 9014.

23 8. This court retains exclusive jurisdiction with respect
24 to all matters arising from or related to the implementation
25 and enforcement of this order.

26 DATED: _____.

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DENNIS MONTALI